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Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
 DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff/Counter-Defendant/ )  
 Cross-Defendant, )  
 )  
 v. )  
 )  
 JOHN C. CARPENTER, *et al.*, )  
 )  
 Defendants, )  
 )  
 and )  
 )  
 COUNTY OF ELKO, )  
 )  
 Defendant/Counter-Claimant, )  
 )  
 THE WILDERNESS SOCIETY, *et al.*, )  
 )  
 Defendants/Intervenors/Cross-Claimants. )

3:99-cv-00547-RLH-RAM

**UNOPPOSED MOTION TO  
 EXTEND TIME TO RESPOND  
 TO MOTION TO DISMISS  
 FOR MOOTNESS (#351)**

\_\_\_\_\_ )

COMES NOW the United States of America and hereby moves for an extension of time to respond to Elko County's Motion to Dismiss for Mootness. (# 351). The United States' response to the Motion to Dismiss is due today. The United States respectfully requests a two-week extension of time — until February 14, 2011 — to respond to the motion. Additional time is needed because the Civil Division of the United States Attorney's Office for the District of Nevada recently experienced unexpected staffing shortages; two attorneys resigned and a member of the support staff suffered an injury that has kept her out of the office for several weeks. Additional time is also needed to give the United States sufficient opportunity to research and evaluate the issues raised in the motion.

Counsel for the United States has conferred with the other parties concerning this matter. Counsel for Elko County and John Carpenter have advised that they do not object to the requested extension. Counsel for the Wilderness Society and The Great Old Broads For Wilderness (collectively "TWS") has advised that TWS does not oppose the extension with the understanding that it applies to TWS as well as to the United States. The United States certifies that this motion is not submitted for the purpose of delay or for any other improper purpose. This motion is supported by the attached declaration of Holly A. Vance.

DATED this 31st day of January, 2011.

DANIEL G. BOGDEN  
United States Attorney

/s/  
\_\_\_\_\_  
HOLLY A. VANCE  
Assistant United States Attorneys

**IT IS ORDERED THAT THE UNITED STATES AND TWS SHALL HAVE UNTIL FEBRUARY 14, 2011 TO RESPOND TO ELKO COUNTY'S MOTION TO DISMISS.**

  
\_\_\_\_\_  
**UNITED STATES MAGISTRATE JUDGE**

Dated: \_\_\_\_\_ **February 1, 2011**

**PROOF OF SERVICE**

I, Blaine T. Welsh, AUSA, certify that the following individuals were served with the **MOTION TO EXTEND SCHEDULING ORDER DEADLINES** on this date by the below identified method of service:

**Electronic Case Filing**

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*Attorneys for the State of Nevada*

DATED this 31st day of January, 2011.

/s/  
\_\_\_\_\_  
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HOLLY A. VANCE  
Assistant United States Attorneys

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA, )  
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Plaintiff/Counter-Defendant/ )  
Cross-Defendant, )  
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v. )  
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JOHN C. CARPENTER, *et al.*, )  
)  
Defendants, )  
)  
and )  
)  
COUNTY OF ELKO, )  
)  
Defendant/Counter-Claimant, )  
)  
THE WILDERNESS SOCIETY, *et al.*, )  
)  
Defendants/Intervenors/Cross-Claimants. )  
\_\_\_\_\_ )

3:99-cv-00547-RLH-RAM

**DECLARATION OF HOLLY A.  
VANCE IN SUPPORT OF  
UNOPPOSED MOTION TO  
EXTEND TIME TO RESPOND  
TO MOTION TO DISMISS FOR  
MOOTNESS (#351)**

1 I, Holly A. Vance, hereby declare as follows pursuant to 28 U.S.C. § 1746:

2 1. I am an Assistant United States Attorney with the Department of Justice, United  
3 States Attorney's Office in Reno, Nevada. I represent the United States in *United States v.*  
4 *Carpenter et al.*, 99-cv-547-RLH-RAM. With this declaration, I have filed An Unopposed Motion  
5 to Extend Time to Respond to Motion to Dismiss for Mootness in which I request an additional 14  
6 days to respond to the Motion to Dismiss.

7 2. Additional time is needed because the Civil Division of the United States  
8 Attorney's Office for the District of Nevada recently experienced unexpected staffing shortages.  
9 Two attorneys resigned and a member of the support staff suffered an injury that has kept her out  
10 of the office for several weeks. Additional time is also needed to give the United States sufficient  
11 opportunity to research and evaluate the issues raised in the motion.

12 3. Counsel for the United States has conferred with the other parties concerning this  
13 matter. Counsel for Elko County and John Carpenter have advised that they do not object to the  
14 requested extension. Counsel for the Wilderness Society and The Great Old Broads For  
15 Wilderness (collectively "TWS") has advised that TWS does not oppose the extension with the  
16 understanding that it applies to TWS as well as to the United States.

17 4. The United States certifies that this motion is not submitted for the purpose of delay  
18 or for any other improper purpose.

19 I declare under penalty of perjury that the foregoing is true and correct.

20 Executed this 31<sup>st</sup> day of January, 2011 in Reno, Nevada.

21  
22  
23 /s/ Holly A. Vance  
24 HOLLY A. VANCE  
25 Assistant United States Attorney  
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27  
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